

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**DAWN MELISSA DAIGRE**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.: 1:10-cv-00568(LG)(RHW)**

**CITY OF WAVELAND, MISSISSIPPI, A  
MUNICIPAL CORPORATION, CHIEF JAMES  
A. VARNELL, OFFICER HENRY BOUGANIM,  
SERGEANT CLAY NECAISE, OFFICER  
CHRISTOPHER ALLEN, AND OFFICER  
JOSHUA POYADOU, INDIVIDUALLY AND IN  
THEIR OFFICIAL CAPACITIES AS POLICE  
OFFICERS WITH THE CITY OF  
WAVELAND, MISSISSIPPI**

**DEFENDANTS**

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**UNOPPOSED MOTION FOR EXTENSION OF TIME**

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COME NOW, Defendants the City of Waveland, Mississippi, James A. Varnell, Henry Bouganim, Clay Necaie, Christopher Allen, and Joshua Poyadou (collectively, “Municipal Defendants”), by and through their attorneys of record, and respectfully submit this Unopposed Motion for Extension of Time. In support of its motion, the Municipal Defendant would show as follows:

1. The deadline for completion of discovery in this matter is September 29, 2011. To make a long story suitably brief, both sides have taken issue with the written discovery responses they have received from the opposition. While counsel for both parties have made good faith efforts to provide complete responses, thus far obviating the need for motions to compel, neither party yet feels it has the information needed to take the depositions and conclude discovery.

2. Municipal Defendants therefore request an extension of the discovery deadline by 30 days, up to and including October 31, 2011. Municipal Defendants further request an extension of the motions deadline up to and including November 14, 2011. These extensions would place the motion deadline approximately 100 days before the date of the pretrial conference, set for February 22, 2012, and may therefore require a continuation of the trial date.

3. This motion is not being made for purposes of delay, but rather, to permit the parties to obtain information to which they are entitled and adequately prepare for depositions. Counsel for the Plaintiff was consulted regarding this request and does not oppose it.

WHEREFORE, PREMISES CONSIDERED Municipal Defendants respectfully request an extension of the discovery deadline up to and including October 31, 2011, and an extension of the motions deadline up to and including November 14, 2011

This, the 27<sup>th</sup> day of September 2011.

Respectfully submitted,

**PHELPS DUNBAR, LLP**

BY: /s/W. Brett Harvey

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**ATTORNEYS FOR MUNICIPAL  
DEFENDANTS**

**CERTIFICATE OF SERVICE**

I, W. BRETT HARVEY, do hereby certify that I have this date electronically filed the foregoing *MOTION* with the Clerk of the Court using the CM/ECF system which sent notification of such filing to:

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***ATTORNEYS FOR PLAINTIFF***

THIS, the 27<sup>th</sup> day of September, 2011.

/s/ W. Brett Harvey  
W. BRETT HARVEY